

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

James Ronald Jenkins,)	
)	
Plaintiff,)	Civil Action No.: 4:09-03044-TLW
vs.)	
)	
Detective Larry Woods,)	
)	
Defendants.)	
_____)	

ORDER

On November 22, 2009, the Plaintiff, James Ronald Jenkins, who is represented by counsel, filed this action pursuant to 42 U.S.C. § 1983. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service of the summons and complaint must be made within 120 days of the date the complaint is filed. Fed. R. Civ. P. 4(m). In this case, the action was filed on November 22, 2009, and service should have been accomplished by March 22, 2010. To date, no proof of service has been filed.

Rule 4(m) specifically provides, in part, that:

If a defendant is not served within 120 days after the complaint is filed, the court-on motion or on its own after notice to the plaintiff-must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Therefore, **IT IS HEREBY ORDERED** that the plaintiff must file his proof of service within fifteen days of the filing of this Order. Plaintiff is advised that failure to show proper service could result in dismissal of this action.

s/ Terry L. Wooten
United States District Judge

March 30, 2010
Florence, South Carolina